

HOUSE No. 2913

By Mr. Sullivan of Fall River, petition of David B. Sullivan for legislation to protect graves of veterans. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PROTECTING GRAVES OF VETERANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 115 of the General Laws is hereby amended by
2 inserting after section 9 the following section:—

3 Section 9A. The holder of a burial easement pertaining to the
4 grave of Veteran shall have the right to place and maintain upon
5 such grave a Veteran's grave marker or metal plaque, and a flag of
6 the United States of America.

7 Whenever any person, including a municipality or other sub-
8 division of the commonwealth, a church, a religious or charitable
9 society, a cemetery corporation, and a cemetery association or
10 organization, whether or not acting under the color of law, inter-
11 feres with the exercise and enjoyment by any other person or per-
12 sons of the right described in paragraph (a) above, any person
13 aggrieved thereby may bring a civil action for injunctive or other
14 appropriate equitable relief in order to protect the peaceable exer-
15 cise or enjoyment of the right secured.

16 The attorney general may bring such an action in the name of
17 the commonwealth.

18 Said civil action shall be instituted either in the superior court
19 for the county in which the conduct complained of occurred, or in
20 the superior court for the county in which the person whose con-
21 duct complained of resides or has his principle place of business.

22 All national and state veterans cemeteries within the common-
23 wealth shall be exempt from the provisions of this section.